

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

LUCAS LITOWITZ,)
Plaintiff,) Case No. C07-993
v.)
BNSF RAILWAY COMPANY,)
a Delaware corporation)
Defendant.)
)

This matter came before the Court under the procedure outlined in CR 37 authorizing joint submission for the purpose of resolving discovery disputes. Plaintiff Lucas Litowitz is the moving party. The Court having considered the Joint Submission and supporting documents, and the records on file herein,

HEREBY ORDERS that Plaintiff's requested discovery is granted or denied as follows:

GRANTED **DENIED**

—XX—

DENIED

1. BNSF is compelled to produce for a deposition, the person with the most knowledge regarding BNSF's "red/green" risk assessment program. The person designated shall bring to the deposition the documents requested in the notice for deposition.

Dated this 18th day of March, 2008



Marsha J. Pechman
U.S. District Judge

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U.S. District Judge

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